

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

In Re:) Chapter 7
MARGARET IENG) No. 21-11886
) TRUSTEE'S SECOND
) OBJECTION TO CLAIMS
) OF EXEMPTION
Debtor.)

COMES NOW the Chapter 7 trustee, Ronald G. Brown, and objects to all of the debtor's exemptions listed on amended Schedule C, filed June 16, 2022, as follows:

1. The debtor filed October 12, 2021.

2. The debtor's amended Schedule C, filed March 29, 2023, asserts exemptions claims pursuant to 11 U.S.C. 522(d)(3) which exceeds the exemption claim limit in the sum of \$14,025, 11 U.S.C. 522(d)(4) which exceeds the exemption claim limit in the sum of \$1,700, and 11 U.S.C. 522(d)(5) which exceeds the exemption claim limit in the sum of \$13,900. The debtor is unable to claim exemption claims based upon changes in exemption claim sums which were effective April 1, 2022, after the date of filing.

3. The debtor's same amended Schedule C, for the first time since the case was filed, now asserts exemption claims in personal injury claims after the court, pursuant to an order entered on March 21, 2023, has authorized the bankruptcy estate's settlement of two claims, payment of special counsel fees and costs, and payment of subrogation claims. The debtor asserts exemption claims in the personal injury claims pursuant to 11 U.S.C. 522(d)(11)(D) in "net value" of the claims. The trustee objects to the exemption claims since the exemptions pursuant to 11 U.S.C. 522(d)(11)(D)

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1 do not include pain and suffering or compensation for actual pecuniary loss. To the extent that the
2 exemption claims seek to include pain and suffering or compensation for actual pecuniary loss and
3 the actual net settlement claim funds after payment of special counsel fees and costs, and payment
4 of subrogation claims, the Trustee objects to the exemption claims.

5 4. To the extent that the debtor is attempting to claim any other exemption in any asset in
6 excess of the value permitted by federal law, the trustee objects to the assertion of such an
7 exemption.

8 5. To the extent that the debtor is attempting to claim an exemption for property for which
9 no exemption is permitted under federal law, the trustee objects to the assertion of such an
10 exemption.

11 6. To the extent that the debtor did not describe an asset or other item of property for which
12 an exemption is claimed with particularity, or the debtor has not provided documentation of the
13 valuation of an asset or documentation of an asset to the trustee, the trustee objects to the assertion
14 of such an exemption. The debtor has provided no documentation of previously unscheduled
15 collectibles, jewelry, and other items listed on amended Schedule B filed June 16, 2022.

16 7. To the extent that the actual value of an asset exceeds the valuation of the asset by the
17 debtor, the trustee objects to the claim of any exemption of any proceeds realized by the bankruptcy
18 estate in excess of the amount claimed and allowable under the applicable exemption statute.

19 The trustee reserves the right to assert any other basis for his objection or otherwise amend
20 this objection as he may determine to be appropriate at a later date.

21 DATED this 4th day of April, 2023.

22 /s/ Ronald G. Brown
23 Ronald G. Brown, Trustee, WSBA #8816
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